

Express Mail Label No.: 054295864US

Date of Deposit: February 21, 2002

Attorney Docket No. 24309-501

(UPM-001.01)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Mark Hoffman et al.
Serial No.: 09/696,762
Filed: October 25, 2000
For: INVESTMENT ADVICE SYSTEMS AND METHODS
Examiner: Not Yet Assigned
Art Unit: 2162



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~~Technology Center 2100~~

Commissioner for Patents
Washington, DC 20231

REVOCATION BY ASSIGNEE AND NEW POWER OF ATTORNEY

Sir:

The undersigned, UPSTREAM TECHNOLOGIES LLC, a Massachusetts corporation, assignee of the above-identified patent application, U.S.S.N. 09/696,762, filed with the U.S. Patent and Trademark Office on October 25, 2000, assignment recorded on March 22, 2001 (Reel/Frame: 011643/0482), hereby revokes any and all former powers of attorney and appoints:

Kevin Ainsworth, Registration No. 39,586
Ingrid A. Beattie, Registration No. 42,306
William D. Belanger, Registration No. 40,509
Naomi S. Biswas, Registration No. 38,384
David F. Crosby, Registration No. 36,400
Brett N. Dorny, Registration No. 35,860
Ivor R. Elrifi, Registration No. 39,529
Heidi A. Erlacher, Registration No. 45,409
John A. Harre, Registration No. 37,345
Brian P. Hopkins, Registration No. 42,669
A. Jason Mirabito, Registration No. 28,161
Michel Morency, Registration No. P-50,183
Thomas M. Sullivan, Registration No. 39,392
Howard J. Susser, Registration No. 33,556
Carol H. Peters, Registration No. 45,010
Kristin E. Konzak, Registration No. 44,848
David E. Johnson, Registration No. 41,874
Shane H. Hunter, Registration No. 41,858
Christina V. Karnakis, Registration No. 45,899
Richard G. Gervase, Registration No. 46,725
Cynthia A. Kozakiewicz, Registration No. 42,764
Barry J. Marenberg, Registration No. 40,715
Sonia K. Guterman, Registration No. 44,729
Bradford C. Blaise, Registration No. 47,429
David W. Poirier, Registration No. 43,007
Michael T. Renaud, Registration No. 44,299

Applicant(s): Mark Hoffman et al.
U.S.S.N.: 09/696,762

Brian S. Rosenbloom, Registration No. 41,276
Robert J. Sayre, Registration No. 42,124
Janine Susan, Registration No. 46,119
James G. Gatto, Registration No. 32,694
Christopher J. Cuneo, Registration No. 42,450
Marianne Downing, Registration No. 42,870
C. Eric Schulman, Registration No. 43,350
Nicholas P. Triano, Registration No. 36,397
Matthew J. Golden, Registration No. 35,161
Gregory J. Sieczkiewicz, Registration No. 48,223
Sean M. Coughlin, Registration No. 48,593
Charles E. Bell, Registration No. 48,128
John M. Garvey, Registration No. 37,833

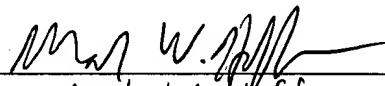
of Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C., One Financial Center, Boston, Massachusetts 02111, as Applicant's attorneys with full power of substitution and revocation to take any and all action necessary with regard to the above-identified application.

Please address all telephone calls to: C. Eric Schulman, at telephone no.: 617/348-3005. Please forward all correspondence to:

C. Eric Schulman, Esq.
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
One Financial Center
Boston, Massachusetts 02111

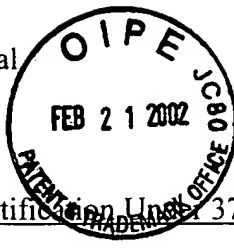
Respectfully submitted,

UPSTREAM TECHNOLOGIES LLC


Name: Mark W. Hoffman
Title: president

Date: Feb. 18, 2002

Applicant(s): Mark Hoffman et al
U.S.S.N.: 09/696,762



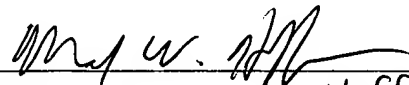
Certification Under 37 C.F.R. §3.73(b)

UPSTREAM TECHNOLOGIES LLC, a Massachusetts corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of assignment of the patent application identified above, a copy of which is attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issued thereon.

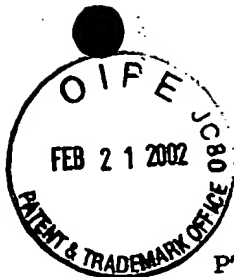
UPSTREAM TECHNOLOGIES LLC


Name: Mark W. Hoffman
Title: President

Date: Feb. 18, 2002, 2002

TRA 1612103v1

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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

JUNE 08, 2001

FOLEY, HOAG & ELIOT LLP
DAVID A. LANE, JR.
ONE POST OFFICE SQUARE
BOSTON, MA 02109-2170

PTAS



101657884A

COPY

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/22/2001

REEL/FRAME: 011643/0482
NUMBER OF PAGES: 6

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
HOFFMAN, MARK

DOC DATE: 02/09/2001

ASSIGNOR:
MCRAE, DONALD A.

DOC DATE: 02/09/2001

ASSIGNOR:
SAMUELSON, PAUL

DOC DATE: 02/13/2001

ASSIGNOR:
SCHULMAN, EVAN

DOC DATE: 02/09/2001

ASSIGNEE:
UPSTREAM TECHNOLOGIES LLC
745 BOYLSTON STREET, SUITE 401
BOSTON, MASSACHUSETTS 02116

SERIAL NUMBER: 09696762
PATENT NUMBER:

FILING DATE: 10/25/2000
ISSUE DATE:

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011643/0482 PAGE 2

PAULA MCCRAY, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

04-06-2001

Form PTO-1595

R

U.S. DEPARTMENT OF COMMERCE

(Rev. 6/93)

OMB No. 0651-0011 (exp. 4/94)

Patent and Trademark Office



101657884

To the Honorable Commissioner of Patents and Trademarks: please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

A B C
 Mark Hoffman, Donald A. McRae, Paul Samuelson
 Evan Schulman, James L. Walker
 D

Additional name(s) of conveying party(ies) attached? () Yes (x) No

FEB 21 2002

2. Name and address of receiving party(ies)

Name: Upstream Technologies LLC

Internal Address: _____

Street Address: 745 Boylston Street, Suite 401City: Boston State: MA Zip: 02116

3. Nature of conveyance:

(x) Assignment

() Merger

() Security Agreement

() Change of Name

() Other _____

Execution Date: Feb. 9, Feb. 9, Feb. 13, and Feb. 9, 2001

Additional name(s) & address(es) attached? () Yes (X) No

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4. Application number(s) or patent number(s):

Technology Center 2100

If this document is being filed together with a new application, the filing date of the application is: _____

A. Patent Application No.(s)
 09/696,762

B. Patent No.(s)

Additional numbers attached? () Yes (x) No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Patent GroupInternal Address: Foley, Hoag & Eliot LLPStreet Address: One Post Office SquareCity: Boston State: MA ZIP: 02109-2170

6. Total number of applications and patents involved: (1)

7. Total fee (37 CFR 3.41).....\$ 40.00

(X) Enclosed

() Authorized to be charged to deposit account for insufficient payment

8. Deposit account number:

06-1448

UPM-001.01

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

David A. Lane, Jr., Reg. No. 39,261

Name of Person Signing and Reg. No.

Signature

March 20, 2001

Date

Total number of pages including cover sheet, attachments, and document: (5)

04/05/2001 LMUELLER 00000202 09696762

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40.00 OP

Mail documents to be recorded with required covered sheet information to:
 Commissioner of Patents & Trademarks, Box Assignments
 Washington, D.C. 20231

448402.1

ASSIGNMENT

We, Mark Hoffman of Norwell, MA, Donald A. McRae of Chagrin Falls, OH, Paul Samuelson of W. Newton, MA, Evan Schulman of Boston, MA and James L. Walker of Maynard, MA in consideration of One Dollar and other valuable consideration paid to me by Upstream Technologies LLC, a corporation of the state of Massachusetts, having its principal place of business at 745 Boylston Street, Suite 401, Boston, MA 02116, the receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto said

Upstream Technologies LLC

its successors and assigns, the entire interest for the United States of America and all foreign countries including all rights of priority under the International Convention for the Protection of Industrial Property in a certain invention or improvement in

INVESTMENT ADVICE SYSTEMS AND METHODS

described in application Serial No. 09/696,762 filed on October 25, 2000 in the United States Patent and Trademark Office, and in all Letters Patent of the United States and all foreign countries which may or shall be granted on said invention, or any parts thereof, or on said application, or any divisional, continuing, reissue or other applications based in whole or in part thereon. And I agree, for my and my executors and administrators, with said corporation and its successors and assigns but at its or their expense and charges, hereafter to execute all applications, amended specifications, deed or other instrument, and to do all acts necessary or proper to secure the grant of Letters Patent in the United States and in all other countries to said corporation, with specifications and claims in such form as shall be approved by the counsel of said corporation and to vest and confirm in said corporation, its successors and assigns, the legal title to all such patents.

And I do hereby authorize and request the Commissioner of Patents and Trademarks of the United States to issue such Letters Patent as shall be granted upon said application or applications based thereon to said corporation, its successors and assigns.

WITNESS my hand this 9 day of Feb, 2000.

By: Mark Hoffman

Mark Hoffman

State of Massachusetts
County of Suffolk

On this the 9th day of February, 2000, before me personally appeared Mark Hoffman, to me personally known, and known to me to be the person who signed the foregoing assignment, and acknowledged the signing of same as his free act and deed.

Barbara B. Francis

Notary Public

My commission expires 1-24-03

BARBARA B. FRANCIS

Notary Public

My Commission Expires January 24, 2003

WITNESS my hand this 9 day of Feb, 2000.

By: Donald A. McRae
Donald A. McRae

State of)
County of)

On this the 09 day of FEB, 2000, before me personally appeared Donald A. McRae, to me personally known, and known to me to be the person who signed the foregoing assignment, and acknowledged the signing of same as his free act and deed.

JENI L. JONES
Notary Public, State of Ohio, Cuy. Cty.
My Commission Expires Nov. 16, 2002

Jeni L. Jones
Notary Public
My commission expires 11-16-02

WITNESS my hand this _____ day of _____, 2000.

By: Paul Samuelson
Paul Samuelson

State of)
County of)

On this the _____ day of _____, 2000, before me personally appeared Paul Samuelson, to me personally known, and known to me to be the person who signed the foregoing assignment, and acknowledged the signing of same as his free act and deed.

Notary Public
My commission expires _____

WITNESS my hand this 9 day of Feb., 2000.

By: Evan Schulman
Evan Schulman

State of Massachusetts)
County of Suffolk)

On this the 9th day of February, 2000, before me personally appeared Evan Schulman, to me personally known, and known to me to be the person who signed the foregoing assignment, and acknowledged the signing of same as his free act and deed.

Barbara B. Francis
Notary Public
My commission expires 1-24-03

BARBARA B. FRANCIS
Notary Public
My Commission Expires January 24, 2003

WITNESS my hand this _____ day of _____, 2000.

By: _____

Donald A. McRae

State of _____)

County of _____)

On this the _____ day of _____, 2000, before me personally appeared Donald A. McRae, to me personally known, and known to me to be the person who signed the foregoing assignment, and acknowledged the signing of same as his free act and deed.

Notary Public

My commission expires _____

WITNESS my hand this 13th day of February, 2000.

By: _____

Paul Samuelson

State of Massachusetts)
County of Suffolk)

On this the 13th day of February, 2000, before me personally appeared Paul Samuelson, to me personally known, and known to me to be the person who signed the foregoing assignment, and acknowledged the signing of same as his free act and deed.

Barbara B. Francis
Notary Public

My commission expires _____

BARBARA B. FRANCIS

Notary Public

My Commission Expires January 24, 2002

WITNESS my hand this _____ day of _____, 2000.

By: _____

Evan Schulman

State of _____)

County of _____)

On this the _____ day of _____, 2000, before me personally appeared Evan Schulman, to me personally known, and known to me to be the person who signed the foregoing assignment, and acknowledged the signing of same as his free act and deed.

Notary Public

My commission expires _____

WITNESS my hand this _____ day of _____, 2000

By: _____

James L. Walker

State of _____)

County of _____)

On this the _____ day of _____, 2000, before me personally appeared James L. Walker, to me personally known, and known to me to be the person who signed the foregoing assignment, and acknowledged the signing of same as his free act and deed.

Notary Public

My commission expires _____

RECORDATION FORM COVER SHEET PATENTS ONLY

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(Rev. 6/93)

OMB No. 0651-0011 (exp. 4/94)

Patent and Trademark Office

COPY

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

^A Mark Hoffman, ^B Donald A. McRae, ^C Paul Samuelson
^D Evan Schulman, James L. Walker

Additional name(s) of conveying party(ies) attached? () Yes (x) No

2. Name and address of receiving party(ies)

Name: Upstream Technologies LLC

Internal Address: _____

Street Address: 745 Boylston Street, Suite 401City: Boston State: MA Zip: 02116

Additional name(s) & address(es) attached? () Yes (X) No

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(x) Assignment

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() Security Agreement

() Change of Name

() Other _____

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A. Patent Application No.(s)
09/696,762

B. Patent No.(s)

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Additional numbers attached? () Yes (x) No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Patent GroupInternal Address: Foley, Hoag & Eliot LLPStreet Address: One Post Office SquareCity: Boston State: MA ZIP: 02109-2170

6. Total number of applications and patents involved: (1)

7. Total fee (37 CFR 3.41).....\$ 40.00

(X) Enclosed

() Authorized to be charged to deposit account for insufficient payment

8. Deposit account number:

06-1448

UPM-001.01

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9. Statement and signature.

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David A. Lane, Jr., Reg. No. 39,261

Name of Person Signing and Reg. N .

Signature

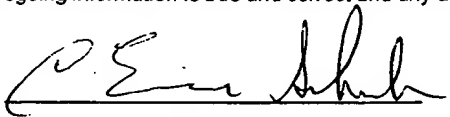
March 20, 2001

Date

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RECORDATION FORM COVER SHEET PATENTS ONLY		U.S. DEPARTMENT OF COMMERCE Patent and Trademark Office
FORM PTO-1595 (Rev. 6-93) OMB No. 0651-0011 (exp. 4/94)		
Please record the attached original documents or copy thereof.		
1. Name of conveying party(ies): James L. Walker Additional name(s) of conveying party(ies) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No 3. Nature of conveyance: <input checked="" type="checkbox"/> Assignment <input type="checkbox"/> Merger <input type="checkbox"/> Security Agreement <input type="checkbox"/> Change of Name <input type="checkbox"/> Other _____ Execution Date: February 12, 2002	2. Name and address of receiving party(ies) Name: Upstream Technologies LLC Internal Address: Street Address: 745 Boylston Street, Suite 401 Boston, MA 02116 Additional name(s) & addresses(es) attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
4. Application number(s) or patent number(s): A. Patent Application No.(s) entitled: INVESTMENT ADVICE SYSTEMS AND METHODS Serial No.: 09/696,762 Filed: October 25, 2000 Additional numbers attached? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
RECEIVED MAR 01 2002 Technology Center 2100		
5. Name and address of party to whom correspondence Concerning document should be mailed: Name: C. Eric Schulman, Esq. Address: MINTZ, LEVIN, COHN, FERRIS GLOVSKY and POPEO, P.C. One Financial Center Boston, MA 02111	6. Total number of applications and patents involved: [1] 7. Total fee (37 CFR 3.41).....\$ 40.00 <input checked="" type="checkbox"/> Enclosed <input type="checkbox"/> Authorized to be charged to Deposit Account No: 50-0311	
DO NOT USE THIS SPACE		
9. Statement and signature <i>To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.</i> C. Eric Schulman, Esq. (Reg. No. 43,350)		
Name of Person Signing	Signature	Date
		Feb. 14, 2002
Total number of pages including cover sheet, attachments, and document: [3]		

Mail documents to be recorded with required cover sheet information to:

BOX ASSIGNMENT
Commissioner for Patents
Washington, DC 20231

ASSIGNMENT

I, **James L. Walker of Maynard, MA** the undersigned, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, effective February 13, 2001, assign, sell and transfer to **Upstream Technologies LLC**, a **Massachusetts** corporation, with offices at **745 Boylston Street, Suite 401, Boston, MA 02116**, and its successors, assigns and legal representatives, all hereinafter referred to as the ASSIGNEE: (1) my entire right, title and interest for the United States and in all countries, in and to any and all inventions, discoveries and applications which are disclosed in the application for United States Letters Patent entitled:

INVESTMENT ADVICE SYSTEMS AND METHODS

filed with the U.S. Patent and Trademark Office on **October 25, 2000** and assigned Serial No. **09/696,762**, including any renewals, revivals, reissues, reexaminations, extensions, continuations, continuations-in-part and divisions thereof and any substitute applications therefor; and any legal equivalent thereof in a foreign country (2) the full and complete right to file patent applications in the name of the ASSIGNEE, its designee, or in my/our names at the ASSIGNEE, or its designee's election, on the aforesaid inventions, discoveries and applications in all countries of the world; (3) the entire right, title and interest in and to any Letters Patent which may issue thereon in the United States or any legal equivalent thereof in any country, and any renewals, revivals, reissues, reexaminations and extensions thereof, and any patents of confirmation, registration and importation of the same; and (4) the entire right, title and interest in all Convention and Treaty Rights of all kinds thereon, including without limitation all rights of priority in any country of the world, in and to the above inventions, discoveries and applications.

I hereby authorize and request the competent authorities to grant and to issue any and all such Letters Patent in the United States and legal equivalents thereto throughout the world to the ASSIGNEE of the entire right, title and interest therein, as fully and entirely as the same would have been held and enjoyed by me/us had this assignment, sale and transfer not been made.

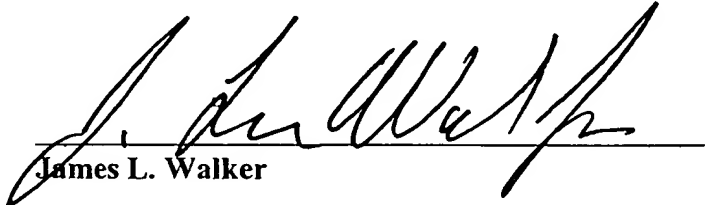
I agree that, given reasonable notice, upon the request of the ASSIGNEE, to execute and to deliver to the ASSIGNEE any additional applications for patents for said inventions and discoveries, or any part or parts thereof, and any applications for patents of confirmation, registration and importation based on any Letters Patent issuing on said inventions, discoveries, or applications and divisions, continuations, renewals, revivals, reissues, reexaminations and extensions thereof.

I further agree, given reasonable notice to execute and to deliver upon request of the ASSIGNEE such additional documents, if any, as are necessary or desirable to secure patent protection on said inventions, discoveries and applications throughout all countries of the world, and otherwise to do the necessary to give full effect to and to perfect the rights of the ASSIGNEE under this Assignment, including the execution, delivery and procurement of any and all further documents evidencing this assignment, transfer and sale as may be necessary or desirable. In the event the time necessary to complete the execution and delivery of such documents exceeds a reasonable amount of time, the ASSIGNEE will provide reasonable compensation to me for such additional time.

I hereby covenant that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.

I further covenant that ASSIGNEE will, upon its request, be provided with pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNOR and will testify as to the same in any interference, litigation or proceeding related thereto and will execute and deliver to ASSIGNEE or its legal representatives all papers, instruments or affidavits required to apply for, obtain, maintain, issue and enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof. In the event the time necessary to complete the execution and delivery of such documents exceeds a reasonable amount of time, the ASSIGNEE will provide reasonable compensation to me for such additional time.


Date: 2/12/2002

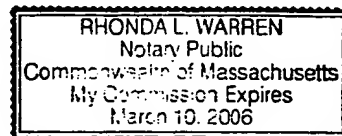

James L. Walker

State of Massachusetts
Country of Maddlaser

Subscribed and sworn to before me this 12th day of February, 2002.

SEAL


Notary Public
My commission expires March 10, 2006



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